

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

KAREN L. MEWBORN,
Plaintiff,

v.

ABBOTT LABORATORIES, etc.,
et al.,
Defendants.

CASE NO. CV 18-8732 DSF
(PLAx)

ORDER TO SHOW CAUSE RE
SANCTIONS

On March 7, 2019, defense counsel Julia Y. Trankiem filed a document titled “Notice of Unavailability of Defendant’s Counsel.” This Court’s Standing Order, filed in this case on October 14, 2018, provides:

17. “Notice of Unavailability”

While the Court expects that counsel will conduct themselves appropriately and will not deliberately schedule Court or other proceedings when opposing counsel are unavailable, a “Notice of Unavailability” has no force or effect in this Court. Such documents should not be filed.

The filing of the Notice of Unavailability violates this Court’s Standing Order. To the extent the Notice was meant to communicate with the Court, it is inappropriate. Counsel lacks the authority to usurp the Court’s control of its own docket. The

Court cannot keep track of the hundreds of counsel who have matters before it at any point in time to be sure it sets no matters that are inconvenient for one of them. Should the Court set a matter when counsel is justifiably unavailable, a request to continue the matter should be filed, with an explanation of the grounds for the continuance. In any event, Ms. Trankheim is not the only counsel of record in this case and there is no explanation for why Ms. Bielke could not be available for any hearings, deadlines, or required appearances during the specified time frame.

Counsel is ordered to show cause in writing no later than April 10, 2019 why she should not be sanctioned in the amount of \$250 payable to the Clerk of the Court for violation of this Court's Standing Order. Payment of \$250 to the Clerk of the Court by April 10 (and the filing of a declaration stating that the amount has been paid) will be a sufficient response to this Order to Show Cause.

IT IS SO ORDERED.

Date: March 18, 2019



Dale S. Fischer
United States District Judge